

07/23/04

1FW RCE  
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2Practitioner's Docket No. 56,822-RCE (47126)  
PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: G. Cevc, et al. Confirmation No. 5210  
 Application No.: 10/037,480 Art Unit: 1723  
 Filed: January 4, 2002 Examiner: Fortuna, A. M.  
 For: METHOD FOR THE IMPROVEMENT OF TRANSPORT ACROSS  
 ADAPTABLE SEMI-PERMEABLE BARRIERS

Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**CERTIFICATION UNDER 37 C.F.R. 1.10\***  
*(Express Mail label number is mandatory.)*

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date **July 21, 2004** in an envelope as "Express Mail Post Office to Addressee," mailing Label Number **EV438994015US** addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan Dillon

(type or print name of person mailing paper)

Susan M Dillon

Signature of person mailing paper

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**(37 C.F.R. 1.114)**

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. Section 1.114, for the above identified application.

**TIME REQUEST IS BEING MADE**

2. This request is being submitted (*check appropriate item(s) below*):

- i. ☒ Prior to abandonment of the application
- ii. ☐ Payment of the issue fee
  - ☐ Prior to payment of issue fee
  - ☐ Issue fee has been paid but a petition under Section 1.313 has been granted
- iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences
  - ☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
- iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145

- ☐ Commencement of a civil action under 35 U.S.C. 146  
☐ Prior to the filing of such appeal or commencement of civil action  
☐ Such appeal or commencement of civil action has been terminated

### ENCLOSURES

3. Enclosed herewith is/are:

- ☒ An information disclosure (37 C.F.R. Section 1.98)  
☒ Form PTO-1449 (PTO/SB/08A and 08B)  
☐ A preliminary amendment  
☐ New arguments  
☐ New evidence in support of patentability  
☐ Other:

### FEE FOR REQUEST (37 C.F.R. Section 1.17(e)).

4. This application is on behalf of:

- ☐ Small entity (and status is still as small entity) \$  
☒ Other than a small entity \$770.00

Continued Prosecution Request Fee \$ 770.00

### FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below:

(Col.1)		(Col. 2)	(Col. 3) SMALL ENTITY			OTHER THAN A SMALL ENTITY		
Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	OR	Rate	Addit. Fee
Total	Minus	=		x \$9 =	\$		x \$18 =	\$
Indep.	Minus	=		x \$43 =	\$		x \$86 =	\$
<input type="checkbox"/> First Presentation of Multiple Dependent Claim				+ \$145 =	\$0		+ \$290 =	\$
								<b>Total Addit. Fee <u>\$0.00</u></b>

*(complete (c) or (d), as applicable)*

- (c) ☐ No additional fee is required.

OR

- (d) ☒ Total additional fee required is \$770.00.

### EXTENSION OF TIME

*(If an extension of time is appropriate complete (a) or (b), as applicable)*

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

<u>Extension for</u> <u>(months)</u>	<u>Fee for</u> <u>small entity</u>	<u>Fee for other</u> <u>than small entity</u>
<input type="checkbox"/> one month	\$ 55	\$110
<input type="checkbox"/> two months	\$ 210	\$420
<input type="checkbox"/> three months	\$ 475	\$950
<input type="checkbox"/> four months	\$740	\$1,480
	Fee	<u>\$0.00</u>

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

- ☐ An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$0.00

OR

- (b) ☒ Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### TOTAL FEE(S) DUE

**WARNING:** *The fee for continued examination under Section 1.114 may not be deferred. 37 C.F.R. Section 1.53(f).*

7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	\$ 770.00
Fee(s) for additional claims (if any) (Section 1.16(b)-(d))	\$ 0.00
Extension of time fee (if any) (Section 1.17(a)(1)-(4))	\$ 0.00
Total Fee(s) Due:	\$ <u>770.00</u>

### PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

<input checked="" type="checkbox"/> Check is attached for the sum of	\$ <u>770.00</u>
<input type="checkbox"/> Charge Account _____ the sum of	\$ _____
<input type="checkbox"/> Charge Credit Card the sum of (Credit Card Payment Form (PTO-2038) attached.)	\$ _____

Please charge any required additional fee(s) for Section 1.17(e), Section 1.16(b)-(d) and/or Section 1.17(a)(1)-(4) to

<input checked="" type="checkbox"/> Account <u>04-1105</u>
<input type="checkbox"/> Credit Card (Credit Card Payment Form (PTO-2038) attached.)

### INVENTORSHIP

9. This application as amended names as inventors:

<input checked="" type="checkbox"/> the same inventors as previously designated for the claims.
<input type="checkbox"/> fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.

☐ a person not named previously as an inventor and a petition under 37 C.F.R. Section 1.48 is/has separately:

☐ being filed

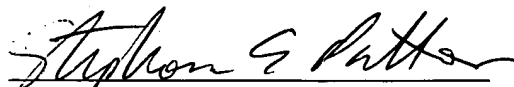
☐ been filed

Date: July 21, 2004

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SIGNATURE OF PRACTITIONER

Stephana E. Patton

*(type or print name of practitioner)*

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